

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) KENNETH TUROCZI and )  
(2) TYRENE TUROCZI, )  
                              )  
Plaintiffs,               )  
                              )  
                              )  
vs.                         )                              Case No. 5:23-CV-00095-JD  
                              )  
                              )  
                              )  
(1) TRAVELERS COMMERCIAL )  
INSURANCE COMPANY,       )  
                              )  
Defendant.                )

**PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

COME NOW Plaintiffs and seek leave of the Court to file their Amended Complaint pursuant to the provisions of Federal Rules of Civil Procedure 15(a)(2), and the March 1, 2023 Order of the Court.

In support of this motion Plaintiffs would show the Court that the parties have in good faith and professionally communicated at the appropriate times regarding attempts to settle or if not settled to narrow certain issues by agreement. As stated in the Joint Status Report that opposing counsel largely prepared and which Plaintiffs' counsel has just reviewed, the parties have narrowed certain issues, such as the accurate corporate name of Defendant, and, also the withdrawal of the Plaintiffs' pleading of a "contingent" remand. Plaintiffs' counsel has undertaken to comply with the Court's suggestion of pleading relevant, necessary fact and will try to improve the proposed fact pleading to fully advise of the particular legal issue involved.

All of which is respectfully submitted.

/s/ Gary W. Gardenhire  
Gary W. Gardenhire, OBA #3235  
Attorney for Plaintiffs  
1005 Fountain Gate Cir.  
Norman, OK 73072

**CERTIFICATE OF SERVICE**

I hereby certify that on March 20, 2023, a true and correct copy of the foregoing Motion For Leave To File Amended Complain was served upon the following counsel via the Court's electronic system, electronic mail, and/or U.S. Mail, postage prepaid thereon to:

Sara E. Potts  
Doerner, Saunders, Daniel, *et al*  
210 Park Avenue, Suite 1200  
Oklahoma City, OK73102

-and-

Michael S. Linscott  
Alexandra J. Gage  
Williams Center Tower II  
2West Second Street, Suite 700  
Tulsa, OK 73403-3177

/s/ Gary W. Gardenhire